

House File 2502

H-8481

1 Amend House File 2502 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <DIVISION I

5 STANDING APPROPRIATIONS AND RELATED MATTERS

6 Section 1. 2017 Iowa Acts, chapter 170, is amended by adding
7 the following new section:

8 NEW SECTION. SEC. 5A. GENERAL ASSEMBLY — FY 2018-2019.

9 1. The appropriations made pursuant to section 2.12 for the
10 expenses of the general assembly and legislative agencies for
11 the fiscal year beginning July 1, 2018, and ending June 30,
12 2019, are reduced by the following amount:

13 \$ 1,517,318

14 2. The budgeted amounts for the general assembly and
15 legislative agencies for the fiscal year beginning July 1,
16 2018, may be adjusted to reflect the unexpended budgeted
17 amounts from the previous fiscal year.

18 3. Annual membership dues for organizations, associations,
19 and conferences shall not be paid from moneys appropriated
20 pursuant to section 2.12, except reimbursement for travel
21 expenses may be paid to commissioners serving on the commission
22 of uniform state laws.

23 4. Costs for out-of-state travel and per diems for
24 out-of-state travel shall not be paid from moneys appropriated
25 pursuant to section 2.12.

26 Sec. 2. 2017 Iowa Acts, chapter 170, is amended by adding
27 the following new section:

28 NEW SECTION. SEC. 6A. INSTRUCTIONAL SUPPORT STATE AID — FY
29 2018-2019. In lieu of the appropriation provided in section
30 257.20, subsection 2, the appropriation for the fiscal year
31 beginning July 1, 2018, and ending June 30, 2019, for paying
32 instructional support state aid under section 257.20 for such
33 fiscal years is zero.

34 Sec. 3. Section 257.35, Code 2018, is amended by adding the
35 following new subsection:

1 NEW SUBSECTION. 12A. Notwithstanding subsection 1, and in
2 addition to the reduction applicable pursuant to subsection
3 2, the state aid for area education agencies and the portion
4 of the combined district cost calculated for these agencies
5 for the fiscal year beginning July 1, 2018, and ending June
6 30, 2019, shall be reduced by the department of management by
7 fifteen million dollars. The reduction for each area education
8 agency shall be prorated based on the reduction that the agency
9 received in the fiscal year beginning July 1, 2003.

10 Sec. 4. SALARY MODEL ADMINISTRATOR. The salary model
11 administrator shall work in conjunction with the legislative
12 services agency to maintain the state's salary model used for
13 analyzing, comparing, and projecting state employee salary
14 and benefit information, including information relating to
15 employees of the state board of regents. The department of
16 revenue, the department of administrative services, the five
17 institutions under the jurisdiction of the state board of
18 regents, the judicial district departments of correctional
19 services, and the state department of transportation shall
20 provide salary data to the department of management and the
21 legislative services agency to operate the state's salary
22 model. The format and frequency of provision of the salary
23 data shall be determined by the department of management and
24 the legislative services agency. The information shall be
25 used in collective bargaining processes under chapter 20 and
26 in calculating the funding needs contained within the annual
27 salary adjustment legislation. A state employee organization
28 as defined in section 20.3, subsection 4, may request
29 information produced by the model, but the information provided
30 shall not contain information attributable to individual
31 employees.

32 DIVISION II

33 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

34 Sec. 5. Section 331.424A, subsection 9, Code 2018, as
35 amended by 2018 Iowa Acts, House File 2456, section 14, is

1 amended to read as follows:

2 a. For the fiscal year beginning July 1, 2017, and each
3 subsequent fiscal year, the county budgeted amount determined
4 for each county shall be the amount necessary to meet the
5 county's financial obligations for the payment of services
6 provided under the regional service system management plan
7 approved pursuant to [section 331.393](#), not to exceed an amount
8 equal to the product of the regional per capita expenditure
9 target amount multiplied by the county's population, and, for
10 fiscal years beginning on or after July 1, 2021, reduced by
11 the amount of the county's cash flow reduction amount for the
12 fiscal year calculated under subsection 4, if applicable.

13 b. If a county officially joins a different region, the
14 county's budgeted amount shall be the amount necessary to meet
15 the county's financial obligations for payment of services
16 provided under the new region's regional service system
17 management plan approved pursuant to [section 331.393](#), not to
18 exceed an amount equal to the product of the new region's
19 regional per capita expenditure target amount multiplied by
20 the county's population, and, for fiscal years beginning on
21 or after July 1, 2021, reduced by the amount of the county's
22 cash flow reduction amount for the fiscal year calculated under
23 subsection 4, if applicable.

24 Sec. 6. 2017 Iowa Acts, chapter 170, section 13, is amended
25 to read as follows:

26 SEC. 13. TRANSFER FROM CASH RESERVE FUND. Notwithstanding
27 [section 8.56](#), subsection 3 and subsection 4, paragraph "a" and
28 [section 8.57](#), subsection 1, paragraph "a", there is transferred
29 from the cash reserve fund created in [section 8.56](#) to the
30 general fund of the state for the fiscal year beginning July 1,
31 2016, and ending June 30, 2017, the following amount:

32 \$131,100,000

33 Sec. 7. 2018 Iowa Acts, House File 2441, section 17,
34 subsection 1, is amended by striking the subsection.

35 Sec. 8. 2018 Iowa Acts, Senate File 2117, section 11,

1 subsection 1, is amended to read as follows:

2 1. There is appropriated from the Iowa economic emergency
3 fund created in section 8.55 to the general fund of the state
4 for the fiscal year beginning July 1, ~~2017~~ 2016, and ending
5 June 30, ~~2018~~ 2017, the following amount:

6 \$ 13,000,000

7 Sec. 9. 2018 Iowa Acts, Senate File 2117, section 12, is
8 amended to read as follows:

9 SEC. 12. RETROACTIVE APPLICABILITY. The following
10 provision or provisions of this division of this Act apply
11 retroactively to ~~September 28, 2017~~ June 30, 2017:

12 The section of this division of this Act appropriating
13 moneys from the Iowa economic emergency fund to the general
14 fund in lieu of a prior standing appropriation.

15 Sec. 10. RETROACTIVE APPLICABILITY. The following applies
16 retroactively to May 12, 2017:

17 The section of this division of this Act amending 2017 Iowa
18 Acts, chapter 170, section 13.

19 Sec. 11. RETROACTIVE APPLICABILITY. The following applies
20 retroactively to the effective date of section 256.9A, as
21 enacted by 2018 Iowa Acts, House File 2441, section 1:

22 The section of this division of this Act amending 2018 Iowa
23 Acts, House File 2441, section 17, subsection 1.

24 Sec. 12. EFFECTIVE DATE. This division of this Act, being
25 deemed of immediate importance, takes effect upon enactment.

26 DIVISION III

27 CORRECTIVE PROVISIONS

28 Sec. 13. Section 9A.102, subsection 1, Code 2017, as amended
29 by 2018 Iowa Acts, Senate File 385, section 2, is amended to
30 read as follows:

31 1. "Agency contract" means an agreement in which a student
32 athlete authorizes a person to negotiate or solicit on behalf
33 of the athlete a professional sports services contract or an
34 endorsement contract.

35 Sec. 14. Section 68B.2C, as enacted by 2018 Iowa Acts,

1 Senate File 2323, section 7, is amended to read as follows:

2 **68B.2C Prohibited outside employment and activities — agents**
3 **of foreign principals.**

4 Officials and state employees shall not engage in any
5 outside employment or activity that requires the person to
6 register under the federal Foreign Agents Registration Act of
7 1938, as amended, 22 U.S.C. §611 et seq., ~~as amended.~~

8 Sec. 15. Section 84A.4, subsection 4, paragraph f, Code
9 2018, if enacted by 2018 Iowa Acts, Senate File 2353, section
10 6, is amended to read as follows:

11 *f. Proven and promising practices.* The local workforce
12 development board shall lead efforts in the local workforce
13 development area to ~~do all of the following:~~

14 ~~{1}—Identify~~ identify and promote proven and promising
15 strategies and initiatives for meeting the needs of employers,
16 workers, and jobseekers, including individuals with a barrier
17 to employment, in the local workforce development system,
18 including providing physical and programmatic accessibility,
19 in accordance with 29 U.S.C. §3248, if applicable, applicable
20 provisions of chapter 216, and applicable provisions of the
21 Americans with Disabilities Act of 1990, codified at 42 U.S.C.
22 §12101 et seq., to the one-stop delivery system.

23 Sec. 16. Section 123.92, subsection 3, paragraph a, Code
24 2018, as amended by 2018 Iowa Acts, Senate File 2310, section
25 47, is amended to read as follows:

26 *a.* Notwithstanding [section 123.49, subsection 1](#), any
27 person who is injured in person or property or means of
28 support by an intoxicated person who is under legal age or
29 resulting from the intoxication of a person who is under
30 legal age, has a right of action for all damages actually
31 sustained, severally or jointly, against a person who is
32 not a licensee or permittee and who dispensed or gave any
33 alcoholic beverage to the intoxicated underage person when the
34 nonlicensee or nonpermittee who dispensed or gave the alcoholic
35 beverage to the underage person knew or should have known the

1 underage person was intoxicated, or who dispensed or gave any
2 alcoholic beverage to the underage person to a point where the
3 nonlicensee or nonpermittee knew or should have known that the
4 underage person would become intoxicated.

5 Sec. 17. Section 135.16A, subsection 1, paragraph a, as
6 enacted by 2018 Iowa Acts, House File 2408, section 1, is
7 amended to read as follows:

8 a. "*Conventional eggs*" means eggs ~~others~~ other than
9 specialty eggs.

10 Sec. 18. Section 147C.1, subsection 7, paragraph e,
11 subparagraph (2), subparagraph division (h), as enacted by 2018
12 Iowa Acts, House File 2425, section 1, is amended to read as
13 follows:

14 (h) Disclosure of investigative records compiled for law
15 enforcement purposes ~~of any of the following.~~

16 Sec. 19. Section 148H.1, subsection 4, as enacted by 2018
17 Iowa Acts, Senate File 2228, section 5, is amended to read as
18 follows:

19 4. "*Genetic counseling intern*" means a student enrolled in
20 a genetic counseling program accredited by the accreditation
21 council for genetic counseling or its equivalent or successor
22 organization, or the American board of medical genetics and
23 genomics or its equivalent or successor organization.

24 Sec. 20. Section 256.7, subsection 21, paragraph b,
25 subparagraph (2), subparagraph division (d), as enacted by 2018
26 Iowa Acts, House File 2235, section 1, is amended to read as
27 follows:

28 (d) That the assessment be peer-reviewed by an independent,
29 third-party evaluator to determine that the assessment is
30 aligned with the Iowa core academic standards, provides
31 a measurement of student growth and student proficiency,
32 and meets the summative assessment requirements of the
33 federal Every Student Succeeds Act, Pub. L. No. 114-95. The
34 assessment developed by the Iowa testing ~~service~~ program
35 within the university of Iowa college of education shall ~~make~~

1 ~~any necessary adjustments as determined by the peer review~~
2 be adjusted as necessary to meet the requirements of this
3 subparagraph (2) as determined by the peer review.

4 Sec. 21. Section 256.42, subsection 5, Code 2018, as amended
5 by 2018 Iowa Acts, Senate File 2131, section 1, is amended to
6 read as follows:

7 5. Under the initiative, a student must be enrolled in
8 a participating school district or accredited nonpublic
9 school or be receiving private instruction under chapter 299A
10 as described in subsection 1. For a student enrolled in a
11 participating school district or accredited nonpublic school,
12 the school district or school is responsible for recording
13 grades received for initiative coursework in a student's
14 permanent record, awarding high school credit for initiative
15 coursework, and issuing a high school diploma ~~diplomas~~ to a
16 student enrolled in the district or school who participates and
17 completes coursework under the initiative. Each participating
18 school shall identify a site coordinator to serve as a student
19 advocate and as a liaison between the initiative staff and
20 teachers and the school district or accredited nonpublic
21 school. The individual providing instruction to a student
22 under [chapter 299A](#) as described in subsection 1 shall receive
23 the student's score for completed initiative coursework.

24 Sec. 22. Section 261.131, subsection 1, paragraph d, Code
25 2018, as enacted by 2018 Iowa Acts, House File 2458, section
26 12, is amended to read as follows:

27 *d. "Eligible program"* means a program of study or an
28 academic major jointly approved by the commission and the
29 department of workforce development, in consultation with an
30 eligible institution, that leads to a credential aligned with a
31 high-demand job designated by the workforce development board
32 or a community college pursuant to section 84A.1B, subsection
33 13A. If the board or a community college removes a high-demand
34 job from a list created under section 84A.1B, subsection 13A,
35 an eligible student who received a scholarship for a program

1 based on that high-demand job shall continue to receive the
2 scholarship until achieving a postsecondary credential, up to
3 an associate degree, as long as the student continues to meet
4 all other eligibility requirements.

5 Sec. 23. Section 280.13C, subsection 4, paragraph a, Code
6 2018, as amended by 2018 Iowa Acts, House File 2442, section 1,
7 is amended to read as follows:

8 a. The department of public health, Iowa high school
9 athletic association, and the Iowa girls high school athletic
10 union shall work together to distribute the guidelines of the
11 centers for disease control and prevention guidelines of the
12 United States department of health and human services and other
13 pertinent information to inform and educate coaches, students,
14 and the parents and guardians of students of the risks, signs,
15 symptoms, and behaviors consistent with a concussion or brain
16 injury, including the danger of continuing to participate in
17 extracurricular interscholastic activities after suffering a
18 concussion or brain injury and their responsibility to report
19 such signs, symptoms, and behaviors if they occur.

20 Sec. 24. Section 280.13C, subsection 8, paragraph a, Code
21 2018, as amended by 2018 Iowa Acts, House File 2442, section 1,
22 is amended to read as follows:

23 a. A school district or accredited nonpublic school that
24 adopts and follows the protocol required by this section and
25 provides an emergency medical care provider or a licensed
26 health care provider at a contest that is a contact or limited
27 contact activity as identified by the American academy of
28 pediatrics shall not be liable for any claim for injuries or
29 damages based upon the actions or inactions of the emergency
30 medical care provider or the licensed health care provider
31 present at the contest at the request of the school district
32 or accredited nonpublic school so long as the emergency
33 medical care provider or the licensed health care provider
34 acts reasonably and in good faith and in the best interest of
35 the student athlete and without undue influence of the school

1 district or accredited nonpublic school or coaching staff
2 employed by the school district or accredited nonpublic school.
3 A school district or accredited nonpublic school shall not be
4 liable for any claim for injuries or damages if an emergency
5 medical care provider or a licensed health care provider who
6 was scheduled in accordance with a prearranged agreement with
7 the school district or accredited nonpublic school to be
8 present and available at a contest is not able to be present
9 and available due to documentable, unforeseen circumstances and
10 the school district or accredited nonpublic school otherwise
11 followed the protocol.

12 Sec. 25. Section 298.3, subsection 1, paragraph j, Code
13 2018, as amended by 2018 Iowa Acts, House File 2253, section 9,
14 is amended to read as follows:

15 *j.* The purchase of buildings or lease-purchase option
16 agreements for school buildings. However, a contract
17 for construction by a private party of property to be
18 lease-purchased by a public school corporation is a contract
19 for a public improvement as defined in section 26.2. If the
20 estimated cost of the property to be lease-purchased that is
21 renovated, repaired, or involves new construction ~~in excess~~
22 ~~of~~ exceeds the competitive bid threshold in section 26.3, the
23 board of directors shall comply with the competitive bidding
24 requirements of section 26.3.

25 Sec. 26. Section 321G.13, subsection 2, paragraph b,
26 subparagraph (2), Code 2018, as amended by 2018 Iowa Acts,
27 Senate File 2231, section 1, is amended to read as follows:

28 (2) A person may operate or ride ~~on~~ a snowmobile with a
29 loaded pistol or revolver, whether concealed or not, if ~~a~~ the
30 person is operating or riding the snowmobile on land that is
31 not owned, possessed, or rented by the person, and the person's
32 conduct is otherwise lawful.

33 Sec. 27. Section 321I.14, subsection 2, paragraph b,
34 subparagraph (2), Code 2018, as amended by 2018 Iowa Acts,
35 Senate File 2231, section 3, is amended to read as follows:

1 (2) A person may operate or ride ~~on all~~ an all-terrain
2 vehicle with a loaded pistol or revolver, whether concealed or
3 not, if a the person is operating or riding the all-terrain
4 vehicle on land that is not owned, possessed, or rented by the
5 person, and the person's conduct is otherwise lawful.

6 Sec. 28. Section 321I.14, subsection 6, as enacted by 2018
7 Iowa Acts, Senate File 2231, section 4, is amended to read as
8 follows:

9 6. As used in this section, *"rented by the person"* includes
10 a person who does not necessarily rent the land but who
11 principally provides labor for the production of crops located
12 on agricultural land or for the production of livestock
13 principally located on agricultural land. The person must
14 personally provide such labor on a regular, continuous, and
15 substantial basis.

16 Sec. 29. Section 364.4, subsection 4, paragraph i, Code
17 2018, as amended by 2018 Iowa Acts, House File 2253, section
18 11, is amended to read as follows:

19 *i.* A contract for construction by a private party of
20 property to be lease-purchased by a city is a contract for a
21 public improvement under [section 26.2, subsection 3](#). If the
22 estimated cost of the property to be lease-purchased that is
23 renovated, repaired, or involves new construction exceeds the
24 competitive bid threshold set in [section 26.3](#), the city shall
25 comply with the competitive bidding requirements of section
26 26.3.

27 Sec. 30. Section 633.42, subsection 1, Code 2018, as amended
28 by 2018 Iowa Acts, Senate File 2098, section 3, is amended to
29 read as follows:

30 1. At any time after the issuance of letters of appointment,
31 any interested person in the proceeding may file with the
32 clerk a written request for notice of the time and place of
33 all hearings in such proceeding for which notice is required
34 by law, by rule of court, or by an order in such proceeding.
35 The request for notice shall state the name of the requester,

1 the name of the requester's attorney, if any, and the reason
2 the requester is an interested person in the proceeding. The
3 request for notice shall provide the requester's post office
4 address, and, if available, the requester's electronic mail
5 address and telephone number. The request for notice shall
6 also provide the requester's attorney's post office address,
7 electronic mail address, and telephone number. The clerk shall
8 docket the request. Thereafter, unless otherwise ordered by
9 the court, the fiduciary shall serve by ordinary or electronic
10 mail a notice of each hearing upon such requester and the
11 requester's attorney, if any.

12 Sec. 31. Section 633.418, Code 2018, as amended by 2018
13 Iowa Acts, Senate File 2098, section 6, is amended to read as
14 follows:

15 **633.418 Form and verification of claims — general**
16 **requirements.**

17 No claim shall be allowed against an estate on application
18 of the claimant unless it shall be in writing, filed with
19 the clerk, stating the claimant's name, and address, and,
20 if available, telephone number and electronic mail address,
21 describing the nature and the amount thereof, if ascertainable,
22 and accompanied by the affidavit of the claimant, or someone
23 for the claimant, that the amount is justly due, or if not yet
24 due, when it will or may become due, that no payments have been
25 made thereon which are not credited, and that there are no
26 offsets to the same, to the knowledge of the affiant, except as
27 therein stated. If the claim is contingent, the nature of the
28 contingency shall also be stated.

29 Sec. 32. Section 651.29, subsection 5, paragraphs b and c,
30 as enacted by 2018 Iowa Acts, Senate File 2175, section 29, are
31 amended to read as follows:

32 *b.* If none of the cotenants ~~has~~ have paid the entire price
33 for the remaining interest in the heirs property, the court
34 shall resolve the partition action under section 651.30 as if
35 the interest of the cotenant that had requested partition by

1 sale of the heirs property has not been purchased.

2 c. If more than one cotenant ~~have~~ has paid the entire price
3 for the remaining interest in the heirs property, the court
4 shall reapportion the remaining interest among such cotenants
5 based on each cotenant's original fractional ownership of the
6 entire heirs property divided by the total original fractional
7 ownership of all cotenants that paid the entire price for
8 the remaining interest. The court shall promptly issue an
9 order reallocating all cotenants' interests, disburse the
10 amounts held by the court to the persons entitled to such
11 disbursements, and promptly refund any excess payments held by
12 the court to the appropriate persons.

13 Sec. 33. Section 655.6, subsection 1, as enacted by 2018
14 Iowa Acts, House File 2232, section 5, is amended to read as
15 follows:

16 1. The mortgagee established reasonable procedures to
17 achieve compliance with its obligations under section 655.3.

18 Sec. 34. Section 716.11, subsection 1, paragraph b, as
19 enacted by 2018 Iowa Acts, Senate File 2235, section 1, is
20 amended to read as follows:

21 b. A gas, oil, petroleum, refined petroleum product,
22 renewable fuel, or chemical critical generation, storage,
23 transportation, or delivery system.

24 Sec. 35. 2018 Iowa Acts, Senate File 2117, section 1,
25 paragraphs p and s, are amended to read as follows:

26 p. ~~Department of economic~~ Economic development authority
27 \$ 157,960

28 s. College student aid commission
29 \$ 94,172

30 Sec. 36. 2018 Iowa Acts, House File 2442, section 4, is
31 amended to read as follows:

32 SEC. 4. STATE MANDATE FUNDING SPECIFIED. In accordance
33 with section 25B.2, subsection 3, the state cost of requiring
34 compliance with any state mandate included in ~~this division~~
35 of this Act shall be paid by a school district from state

1 school foundation aid received by the school district under
2 section 257.16. This specification of the payment of the state
3 cost shall be deemed to meet all of the state funding-related
4 requirements of section 25B.2, subsection 3, and no additional
5 state funding shall be necessary for the full implementation of
6 this Act by and enforcement of this Act against all affected
7 school districts.

8 Sec. 37. REPEAL. 2018 Iowa Acts, House File 2348, section
9 9, is repealed.

10 Sec. 38. REPEAL. 2018 Iowa Acts, House File 2457, sections
11 115 and 116 are repealed.

12 Sec. 39. EFFECTIVE DATE. The following, being deemed of
13 immediate importance, takes effect upon enactment:

14 The section of this division of this Act amending 2018 Iowa
15 Acts, Senate File 2117, section 1, paragraphs "p" and "s".

16 Sec. 40. RETROACTIVE APPLICABILITY. The following applies
17 retroactively to March 28, 2018:

18 The section of this division of this Act amending 2018 Iowa
19 Acts, Senate File 2117, section 1, paragraphs "p" and "s".

20 Sec. 41. APPLICABILITY. The following apply July 1, 2018,
21 to probate filings made on or after that date:

22 1. The section of this division of this Act amending section
23 633.42.

24 2. The section of this division of this Act amending section
25 633.418.>

26 2. By renumbering as necessary.

HALL of Woodbury